



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,545	09/24/2003	Yuan Che Hsieh	INFN0002	5491

25235 7590 09/13/2006

HOGAN & HARTSON LLP  
ONE TABOR CENTER, SUITE 1500  
1200 SEVENTEENTH ST  
DENVER, CO 80202

EXAMINER
----------

KINDRED, ALFORD W

ART UNIT	PAPER NUMBER
----------	--------------

2163

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/670,545

Applicant(s)

HSIEH ET AL.

Examiner

Alford W. Kindred

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17,33-36,40 and 41 is/are pending in the application.
- 4a) Of the above claim(s) 42-44 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17,33-36,40 and 41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1. This action is responsive to communications: Amendment, filed on 07/08/06.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-17, 33-36, and 40-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et. al., US# 2004/0199506 A1 in view of Mikurak, US# 20040064351.

As per claims 1, 9 Shaffer et al. teaches “one or more reference records within the reference record databases, each reference record providing an association between business information and spatial data for a specific channel participant” (see paragraphs [0061], [0146], and [0240]) “transaction data related to at least one channel participant . . . accessing one or more candidate reference records using spatial and business data . . .” (see paragraphs [0061] and [0116]) “a spatial matching mechanism for matching a subset of the candidate reference records to the transaction data” (see paragraphs [0061] and [0149] and [0064]). Shaffer et al. does not explicitly teach “a candidate identification . . . more than one candidate reference record from one of the reference record databases . . .”. Mikurak teaches “a candidate identification . . . more than one candidate reference record from one of the reference record databases . . .” (see paragraph [0222], [1332], and [1790]). It would have been obvious at the time of the invention for one of ordinary skill in the art to have combined the teachings of Shaffer and Mikurak,

because using the steps of “a candidate identification . . . more than one candidate reference record from one of the reference record databases . . .”, would have given those skilled in the art an efficient tool to identify candidate data from a variety of associated database in regards to data transaction. This gives users the advantage value of efficiently determining record data via data from transaction information faster.

As per claim 2, Shaffer et al. teaches “a consumer of the product who receives the product from the distribution channel” (see paragraphs [0064] and [0122]).

As per claims 3-4, Shaffer et al. teaches “a producer of the product who places the product in the distribution channel” (see paragraphs [0046] and [0115]).

As per claim 5, Shaffer et al. teaches “a reseller such as a dealer, agent, branch and the like” (see paragraphs [0122]).

As per claims 6-7, Shaffer et al. teaches “a geo-coding mechanism operable to determine street-level spatial data from the transaction data” (see paragraphs [0061] and [0116]).

As per claim 8, Shaffer et al. teaches “determines location information from the transaction data” (see paragraph [0116]).

As per claims 10-12, Shaffer et al. teaches “a reference identifier identifying the channel participant; a business name; and spatial information with predetermined accuracy” (see paragraphs [0146]-[0149]).

As per claims 13-15, Shaffer et al. teaches “a lexical matching process operable to correlate non-spatial data in the transaction record with non-spatial data in the candidate reference records . . .” (see paragraphs [[0061] and [0116]).

As per claims 16-17, Shaffer et al. teaches a selection process operable to select a candidate reference record based on the generated score exceed a pre-selected threshold value . . .” (see paragraphs [0120], [0122] and [0182]).

As per claims 33-34, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected including the following:

--Shaffer et al. teaches “geo-coding location data within the transaction record to determine a spatial identifier . . .” (see paragraphs [00061] and [0182]).

As per claim 35, this claim is rejected on grounds corresponding to the arguments given above for rejected claims 13-14 and are similarly rejected.

As per claim 36, this claim is rejected on grounds corresponding to the arguments given above for rejected claims 10-11 and are similarly rejected.

As per claims 40-41, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 1 and are similarly rejected, Shaffer et al. does not explicitly teach “a learning.” Underwood teaches “a learning database” (see paragraph [285], [321] and [521]). It would have been obvious at the time of the invention for one of ordinary skill in the art to have combined the teachings of Shaffer and Underwood, because using the steps a Learning database gives those skilled in the art the ability to implement a tracking database (i.e. Learning database) to track and associate transactions in the transaction database environment. This gives users the ability to process transaction data in a database environment faster.

As per claims 42-44, these claims are rejected on grounds corresponding to the arguments given above for rejected claims 1 and 33 and are similarly rejected. Whereas applicant’s use of

the terms “Latitude” and “Longitude” (getting reference from applicant’s specification) corresponds to Shaffer’s location information data.

***Response to Arguments***

4. Applicant's arguments filed 7/8/06 have been fully considered but they are not persuasive in view of the new grounds of rejection.

--As per applicant’s arguments regarding “Examiner has not provide specific citation in Shaffer . . . including Underwood for each limitation . . .” examiner disagrees and maintains that the 103 rejection is proper. First, examiner citations of paragraph [0061], [0146] and [0240] corresponding to the elements of applicant’s independent claim 1 is addressing similarly limitations of in independent claim 33 with exception of one limitation. That limitation is “geo-coding location data within the transaction record . . .” which is taught in paragraph [0061] and [0182] of the Shaffer reference as indicated in above.

--As per applicant’s arguments “there is no discussion of geo-coding location in formation in a transaction record to create a spatial identifier for that transaction record”, examiner maintains that Shaffer’s matching of database via identifiers, includes the location which corresponds to applicant’s geo-coding location, since both deals the location of transaction information.

--As per applicant’s arguments regarding “Applicant’s could not find teachings . . . with reference records having business information with ‘greater precision’ that the transaction record that that each such record is associate with a spatial identifier”, examiner maintains that Shaffer’s teachings of identifying the various types of data in a database in paragraph [0061] and [0116]

Art Unit: 2163

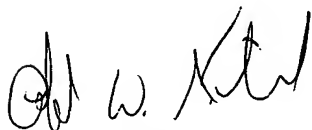
and the reference as a whole. The greater precision element of transaction records corresponds to Shaffer's identifying of various data types based on a precision element in conjunction with transaction records.

*Conclusion*

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Alford W. Kindred  
Patent Examiner  
Tech Ctr. 2100